

BY MARK LANG FOR THE WASHINGTON POST

Murdered by the Mob?

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30 Years After the Kennedy Assassination, This Case Isn't Closed

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OUTLOOK

Commentary and Opinion

By G. Robert Blakey

THIRTY YEARS years have passed since President Kennedy's assassination. Yet, strangely, we know with a high degree of confidence little more than we knew within 30 hours of the murder: Lee Harvey Oswald did it. That is—or ought to be—beyond doubt. But there remains the troubling question on which reasonable people can differ: alone or in behalf of others?

When the Warren Commission issued its report in September 1964, I had no such doubts. I'd worked with members of the commission staff when I'd been a prosecutor at the Justice Department under Robert Kennedy, and I recognized the marks of their craftsmanship. I accepted their conclusion that "[A]ll the investigative agencies and resources of the United States" had uncovered "no credible evidence" of a conspiracy.

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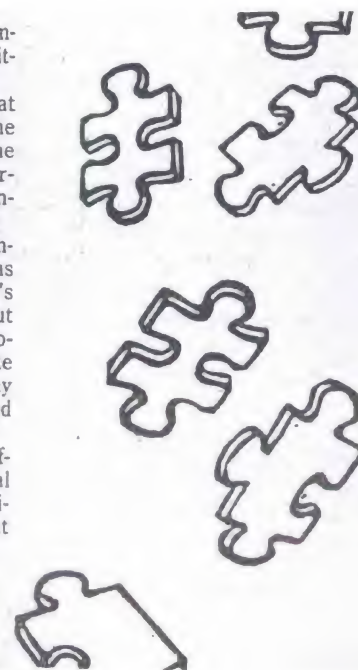
Nor was I troubled by the doubts raised by an increasing number of critics, led by Mark Lane, who often distorted and omitted evidence to make their arguments.

When the Church Committee in the mid-'70s revealed that the CIA had plotted with the Mafia to kill Fidel Castro in the early '60s, I remained only an interested observer. Yet the CIA, it appeared, had withheld this information from the Warren Commission despite a presidential directive to all governmental agencies to cooperate.

When the House of Representatives created the Select Committee on Assassinations in September 1976, my interest was only mildly piqued. When Rep. Louis Stokes, the committee's chairman, asked me to become chief counsel, I accepted, but only after we agreed that the investigation would be run professionally, letting the facts, not preconceived theories, write our final conclusions. I told Stokes that while I would keep my mind open, my personal belief was that Oswald had acted alone.

But after two years of investigation, we found ourselves differing sharply from the Warren Commission on the central question: We had found seemingly irrefutable scientific evidence of two shooters in Dealey Plaza. And we had found that

See JFK, C4, Col. 1



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JFK, From C1

the most plausible explanation for the murder of Oswald by Jack Ruby was that Ruby had stalked him on behalf of organized crime, trying to reach him on at least three occasions in the 48 hours before he silenced him forever. The evidence had to be faced; it was probable that the president had been killed as the result of a conspiracy.

The wheels of history make parallel tracks. The work of the Select Committee now has its own Mark Lane, Gerald Posner, a New York attorney and author of "Case Closed," a much-touted defense of the lone-gunner thesis. Like Lane, Posner often distorts the evidence by selective citation and by striking omissions. While Posner is not as disdainful of the truth as Lane, his book is a mirror image of Lane's "Rush to Judgment." Still, his book provides a convenient checklist for what we know and do not know about the assassination.

We know, for example, *how* JFK was killed. Like the Warren Commission, the Select Committee determined that Oswald had fired the crucial shots, and we felt sure that his first missed, his second wounded Kennedy and Gov. John Connally and his third killed the president. But we had a major departure: According to the acoustics analysis and witness testimony, a fourth shot, which missed, was fired from the area known as the grassy knoll.

Since it played a major, though not determinative, role in favor of conspiracy, the fourth shot caused quite a stir in 1978. Posner writes that we had "flip-flopped" at the end of our investigation, but in fact we maintained an open mind throughout, preparing alternative final resolutions.

Posner also falls for the myth that our shot-from-the-grassy-knoll finding was based solely on the acoustic evidence (a Dictabelt recorded from a motorcycle policeman's open mike). We also relied on the compelling testimony of witnesses who said they heard a shot from the right front of the president's limousine. Uncritically, Posner is impressed by the numbers: More than twice as many witnesses (46 to 20) heard shots from the Texas School Book Depository as from the grassy knoll. But what else would you expect if three shots came from the depository and only one from the knoll—which was less than .7 of a second apart from the third shot fired from the depository?

We concentrated on individual witnesses and weighed the testimony of each by the same factors: where they were, how well they perceived what they'd heard and whether they had a motive to lie. For example, the ideal witness in terms of these criteria was Paul Landis, a Secret Service agent who was

riding the right running board of the follow-up car. Significantly, Landis was positioned between the book depository and the grassy knoll; he heard shots that came from both directions, and he had no motive to lie.

Posner knows about Landis; he quotes him as a credible witness on the timing of the first shot. You would think that he would also accept him on the direction of the third shot, even though Landis's testimony is inconsistent with Posner's thesis. Yet he ignores this aspect of Landis's testimony as he does the testimony of others. Clearly, Posner picks and chooses his witnesses on the basis of their consistency with the thesis he wants to prove.

Aware of how unsettling our finding was, we recommended a follow-up acoustics study. In 1982, the Committee on Ballistic Acoustics (known for its chairman, Norman F. Ramsey of Harvard, as the Ramsey Panel) issued a report that rejected the results—though not the scientific reasoning—of our acoustical analysis. The Ramsey Panel preferred to rely on the work of Steve Barber, an assassination buff from Ohio who obtained a copy of the crucial Dictabelt from an insert in *Gallery* magazine. Two Dallas police channels can be heard on the Dictabelt, and Barber detected "crosstalk" between the two—specifically, the words of Sheriff Bill Decker a minute after the assassination: "Hold everything secure . . ." According to the Ramsey Panel's reconstruction of the timing of the two channels, the four "events" we thought were shots occurred after the Decker "crosstalk." Thus, they could not be interpreted as the sounds of the assassination.

There is, however, a serious problem with the work of the Ramsey Panel. If you discount the evidence of a shot from the grassy knoll on its line of analysis, you must also discount the evidence of all four shots, which appear as a sequence of spikes occurring at precise intervals on the Dictabelt. Were they simply static, random noise?

In 1979, I had little doubt about the scientific validity of the acoustics evidence, but the Ramsey report gave me pause. Yet I am inclined to stand by our study. The correlations we were able to make between the timing of the sound impressions on the Dictabelt and the visual evidence of the shots on Abraham Zapruder's film of the shooting and other data are too close to be coincidence. In addition, another critic, Gary Mack of Dallas, has since made another study of "crosstalk" on the Dictabelt; he finds "crosstalk" by Sgt. S.Q. Bellah that demonstrates that the four spikes came *before* the Decker comments. Obviously, the acoustical evidence now cuts in both directions; our conclusions cannot be simply rejected out of hand. Apparently Posner is unaware of Mack's study, as he does not analyze it.



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Once confronted with credible scientific and other evidence of a conspiracy, we felt an obligation in 1978 to try to come to grips with it. We found insufficient evidence to believe that any agency of the United States government was engaged in a plot to kill the president. This conclusion has stood the test of time, despite the paranoid belief—reflected most noticeably in Oliver Stone's "JFK"—that the CIA somehow had a hand in the assassinations.

We also made the judgment that the Soviets themselves had no part in the president's murder. One of the more difficult tasks we faced was to assess the bona fides of KGB defector Yuri Nosenko. The Warren Commission knew about him but did not make his defection public in 1964. Nosenko, who claimed to have been Oswald's case officer, met secretly with the committee at CIA headquarters. We decided that Nosenko had actually been sent by the KGB to assure the U.S. government of Soviet innocence in the assassination.

I now believe that assessment was wrong. In 1992, I met former KGB head Vadim Bakatin, who was in Chicago on a trade mission. He was accompanied by Oleg D. Kalugin, a former KGB general, who was a colonel in the KGB in 1964 assigned to New York City. Both of them told me that Nosenko exaggerated and lied about his knowledge of Oswald (Posner uncritically accepts the testimony of Nosenko), but nonetheless he was a bona fide defector. Indeed, Kalugin told me that in 1964 he had been given a contract to try to kill Nosenko.

We also felt assured that the denials of the Cuban government—voiced personally by Castro when we visited Havana—were truthful. Our interest in Cubans, both pro- and anti-Castro, was sustained by our suspicions that Oswald was associated with them in one way or another; when a Cuban exile living in Dallas, Silvia Odio, said Oswald visited her home in October 1963 accompanied by two Latin men familiar with the anti-Castro movement, we

believed her. (Posner unjustifiably casts aspersions on Odio's sanity as well as credibility.)

Yet I was not as convinced of Castro's candor when he dismissed reports (for which we had highly sensitive corroboration) that Oswald, when he appeared at the Cuban consulate in Mexico City in September 1963, had threatened JFK's life. Similarly, we found no distinct sign of a plot to kill the president by Cuban exiles, though they had a clear motive of revenge in the aftermath of the Bay of Pigs disaster.

What we finally determined was that if a plot was afoot in Dealey Plaza, the most likely members were elements of the Mafia. Several items of evidence—then, but more so now—point in that direction:

- Oswald's underworld ties in Louisiana were significant, especially via his uncle, Charles "Dutz" Murret. Murret worked for Sam Saia, a gambler, "the most powerful operator of illegal handbooks" in New Orleans, according to the Metropolitan Crime Commission, and a lieutenant of Carlos Marcello, whose Louisiana Mafia family was one of the most powerful in the country in 1963. Testimony is also available today that when Oswald was living in New Orleans in 1963, he worked for Saia—as a runner at Felix Oyster House, one of Saia's French Quarter bookmaking parlors. John H. Davis, the biographer of the Guggenheim and Kennedy families, interviewed Joseph Hauser, a witness in a federal criminal investigation of Marcello, for his study of Marcello, "Mafia Kingfish." Hauser reconstructed for Davis a statement Marcello made to him:

Oswald? I used to know his [expletive] family. His uncle he work for me. The kid work for me to. He worked for Sam outta his place downtown . . . The feds came . . . askin' about him, but my people didn't tell 'em nothin'. Like we never heard of the guy . . .

Posner not only ignores this entirely, but discounts the Murret connection to Marcello. He also dismisses Oswald's relationship to Marcello flunky David W. Ferrie, a quizzical character who served as an investigator for the mobster's lawyer, G. Wray Gill. In fact, Posner squarely denies that Oswald, as a teenager, served under Ferrie in the Civil Air Patrol in New Orleans. We believed the air patrol link on the strength of witness testimony. "Case Closed" is least persuasive here.

All through his book, Posner uses our investigation when it serves his purpose but disregards it when it runs counter to his thesis. When we deemed unreliable the statement of a secretary who said she saw Oswald at meetings in New Orleans "on several occasions," Posner invokes our report; but when we were inclined to believe witnesses who said they saw Oswald and Ferrie together at a voter registration drive in Clinton, La., in the summer of 1963, he rejects our assessment.

- It is difficult to dispute the underworld pedigree of Jack Ruby, though the Warren Commission did it in 1964. Posner similarly ignores Ruby's ties to Joseph Civello, the organized crime boss in Dallas. His relationship with Joseph Campisi, the No. 2 man in the mob in Dal-

las, is even more difficult to ignore. In fact, Campisi and Ruby were close friends; they had dinner together at Campisi's restaurant, the Egyptian Lounge, on the night before the assassination. After Ruby was jailed for killing Oswald, Campisi regularly visited him.

The select committee thought Campisi's connection to Marcello was telling; he told us, for example, that every year at Christmas he sent 260 pounds of Italian sausage to Marcello, a sort of Mafia tribute. We also learned that he called New Orleans up to 20 times a day. Associations do not prove conspiracy, but when you have other evidence of conspiracy, they make its possible contours more plausible.

- Then there is John Rosselli, whose body was found floating in an oil drum off Miami in August 1976. He was one of the Mafia figures who had plotted with the CIA to kill Castro, and he had recently testified before the Church Committee. His Senate testimony was secret, but he had told his story to columnist Jack Anderson: A Cuban exile hit team had been caught in Havana, and in the bargain for their freedom, an unusual deal was struck. Castro and Santo Trafficante, the mob boss of pre-Castro Cuba, formed an alliance to kill Kennedy. The assassination itself, Rosselli said, had been the work of Cubans working for Trafficante, and Oswald had been recruited as a decoy. Oswald may have fired, but the fatal shot came from the right front at close range. Not all aspects of the Rosselli story need be credited to see in it elements of inside knowledge. It must be analyzed; it cannot be ignored.

Posner includes Rosselli in a list of "unnatural" deaths, noting only that he was a "Mafia liaison with the CIA in its effort to assassinate Castro." If, in fact, Rosselli was slain for talking to the Church Committee, as seems likely, and if his murder was ordered by Trafficante, as also appears to be the case, his death is not so easily dismissed.

Finally, there is the testimony of Frank Ragano, one of Trafficante's former lawyers, who reports that Trafficante, shortly before he died in 1987 following a heart operation, in sort of a "deathbed confession" told Ragano, "Carlos [expletive] up. We should not have killed Giovanni [John]. We should have killed Bobby." While reasons can be marshalled to disbelieve Ragano (and Posner does so), I am inclined—based on hours of conversation with him—to credit the basic outlines of his story.

For 30 years, arguments about the JFK assassination have most often centered on proving a point, not finding out the truth. Albeit belatedly, President Clinton recently appointed four of the five members of the Assassinations Review Board, in keeping with a statute that calls for releasing all of the official documents. I urge those who care to read the original documents, not second-hand accounts of them. The key is not to close a case that cannot yet be closed, but to keep an open mind.

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